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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Suzuki

Application No. 10/556,712

Filed: November 9, 2005

Confirmation No. 6606

For: ILLUMINATION OPTICAL SYSTEM,
PROJECTION/EXPOSURE DEVICE,
MICRO DEVICE MANUFACTURING
METHOD, ILLUMINATION DEVICE
MANUFACTURING METHOD,
PROJECTION/EXPOSURE DEVICE
ADJUSTMENT METHOD, AND
PROJECTION/EXPOSURE DEVICE
MANUFACTURING METHOD

Examiner: Hung Nguyen

Art Unit: 2851

Attorney Reference No. 4641-71773-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)

Donald L. Stephens Jr.

Date Mailed July 3, 2008

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TRANSMITTAL LETTER

Enclosed is a Reply to Restriction Requirement for the above application.

- ☒ No additional fee is required.
- ☒ Please charge any additional fees that may be required in connection with filing this amendment including any extension of time or excess page charges, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

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By

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Registration No. 34,022

cc: Docketing

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REPLY TO RESTRICTION REQUIREMENT

This paper is in reply to the Restriction Requirement, dated June 3, 2008.

Applicant elects the claims of Group I (claims 52-87) for prosecution.

The exclusion of claims 88-89 from Group I is not understood. Claim 88 is directed to a projection-exposure system that includes the illumination-optical system of claim 59. Since claim 59 is in Group I, it would appear that claim 88, which includes the features of claim 59, should be in the same group as claim 59. A similar argument is made with respect to claim 89, which is directed to a method that comprises a lithographic step performed using the projection-exposure system recited in claim 88. The Restriction placed all the groups in class 355 (projection-printing and copying cameras), placed Group I in subclass 52 (distortion-introducing or rectifying), and placed Group II in subclass 67 (illumination systems or details). In view of the specific recitations of claims 88 and 89, the classifications of claims 52-87 in subclass 52 and

of claims 88-89 in subclass 67 does not appear to be justified. Reconsideration and withdrawal of the restriction of Group II from Group I are therefore requested.

Applicant acknowledges that Group III is encompassed by Group I.

Applicant noticed that claim 90 is not accounted for in the Restriction. Notwithstanding, Applicant notes that claim 90 includes the illumination-optical system of claim 73, and hence would appear to be properly included in Group I.

Applicant also notes that claim 91, in Group IV, includes performing a lithographic step using the projection-exposure system of claim 90. Hence, claim 91 would appear to be properly included in Group I along with claim 90. The classification, in the Restriction, of claim 91 in subclass 57 (compared to subclass 52 for claim 73) does not appear to provide support, based on the particular descriptions of these two subclasses in the Manual of Patent Classification, for placing claim 91 (and presumably claim 90) in a group separate from Group I. Therefore, reconsideration is requested and placement of claims 90 and 91 in Group I.

Claims 92 and 93 are in Group IV in the Restriction, along with claims 73-76 that are also in Group I. An argument similar to that in the previous paragraph is hereby made with respect to claim 92 (including the features of claim 75, in Group I) and 93 (including performing a lithographic step using the projection-exposure system of claim 92). In other words, based on the particular subclasses articulated in the Manual of Patent Classification and on the particular recitations in these claims, claims 92-93 appear to be properly included in Group I, not in a separate group.

Claims 94-95 are in Group V in the Restriction, along with claims 77-85 that are also in Group I. An argument similar to the above is hereby made with respect to claim 94 (including the features of claim 77, in Group I) and 95 (including performing a lithographic step using the projection-exposure system of claim 94). In other words, based on the Manual of Patent Classification and on the particular recitations in these claims, claims 94-95 appear to be properly included in Group I, not in a separate group.

Therefore, claims 52-95 should be in a single group, not interspersed among five groups.

According to the Restriction, claims 96-111 have been placed in subclass 69, which in the Manual of Patent Classification includes illumination systems or details in which electricity to the lamp is controlled. This classification is not understood. None of claims 96-111 recites controlling electricity to a lamp. Rather, these claims appear to be placed properly in Group I,

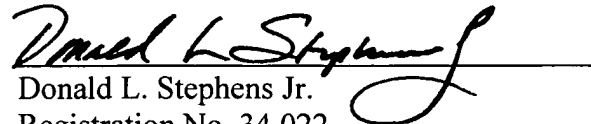
based on the Manual of Patent Classification's description of subclass 52, discussed above, and on the respective recitations in claims 96-111. Therefore, reconsideration and withdrawal of the restriction of claims 96-111 is hereby requested.

Respectfully submitted,

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